

DEATH PENALTY INFORMATION CENTER

Facts About the Death Penalty September 27, 2006

STATES WITH THE DEATH PENALTY (38[^])

Alabama	Florida	Louisiana	New Hampshire*	Oregon	Virginia
Arizona	Georgia	Maryland	New Jersey*	Pennsylvania	Washington
Arkansas	Idaho	Mississippi	New Mexico	South Carolina	Wyoming
California	Illinois	Missouri	New York* [^]	South Dakota*	
Colorado	Indiana	Montana	North Carolina	Tennessee	- plus
Connecticut	Kansas*	Nebraska	Ohio	Texas	U.S. Gov't
Delaware	Kentucky	Nevada	Oklahoma	Utah	U.S. Military*

*Indicates jurisdictions with no executions since 1976.

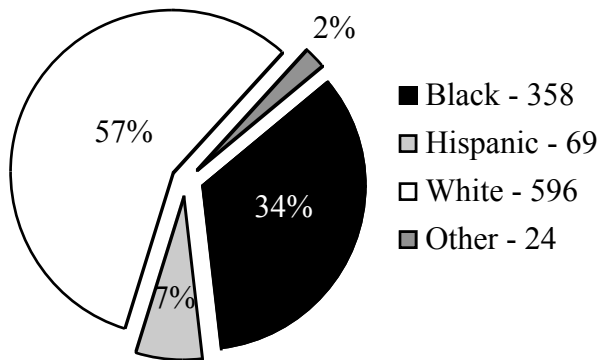
[^]In 2004, the death penalty statute of New York was declared unconstitutional, yet there is still one man sitting on Death Row.

STATES WITHOUT THE DEATH PENALTY (12)

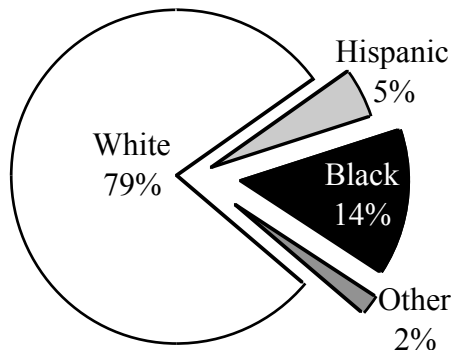
Alaska	Maine	Minnesota	Vermont	- plus
Hawaii	Mass.	N. Dakota	W. Virginia	District of
Iowa	Michigan	Rhode Island	Wisconsin	Columbia



Race of Defendants Executed



Race of Victim in Death Penalty Cases

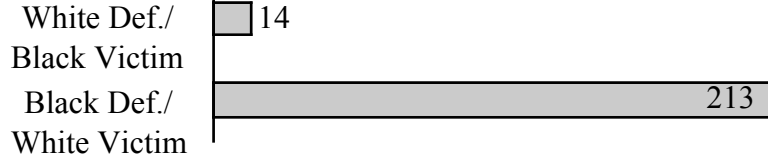


About 80% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

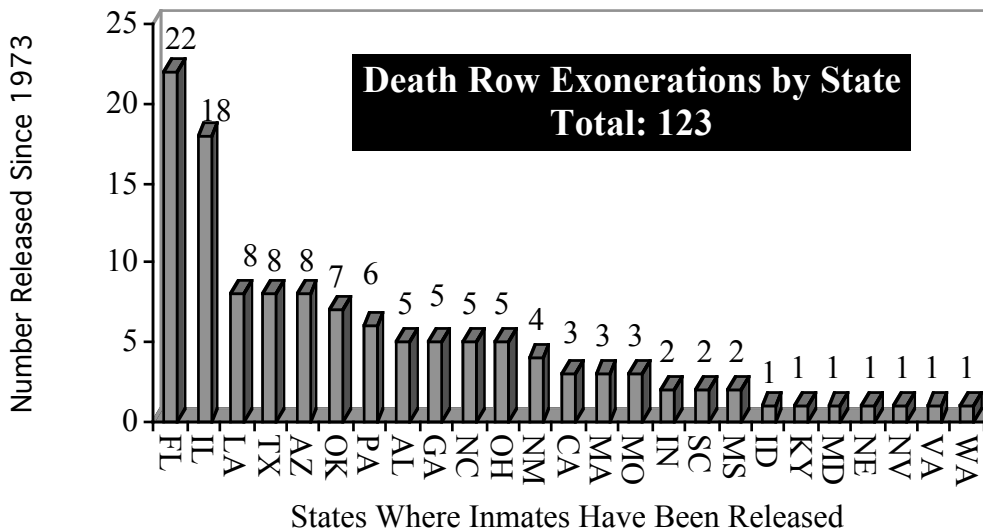
Recent Studies on Race

- In 96% of the states where there have been reviews of race and the death penalty, there was a pattern of either race-of-victim or race-of-defendant discrimination, or both. (Prof. David Baldus report to the ABA, 1998).
- 98% of the chief district attorneys in death penalty states are white; only 1% are black. (Prof. Jeffrey Pokorak, Cornell Law Review, 1998).
- A comprehensive study of the death penalty in North Carolina found that the odds of receiving a death sentence rose by 3.5 times among those defendants whose victims were white. (Prof. Jack Boger and Dr. Isaac Unah, University of North Carolina, 2001).
- A recent study in California found that those who killed whites were over 3 times more likely to be sentenced to death than those who killed blacks and over 4 times more likely than those who killed Latinos. (Pierce & Radelet, Santa Clara Law Review 2005).

Persons Executed for Interracial Murders



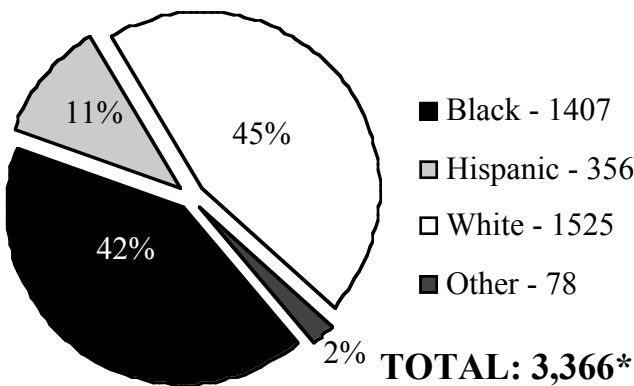
Innocence and the Death Penalty



Since 1973, over 120 people have been released from death row with evidence of their innocence. (Staff Report, House Judiciary Subcommittee on Civil & Constitutional Rights, Oct. 1993, with updates from DPIC).

In 2000, 8 inmates were freed from death row and exonerated; in 2001 – 2002, another 9 were freed; and in 2003, 12 were exonerated. In 2004, there were 6 exonerations.

Race of Death Row Inmates



DEATH ROW INMATES BY STATE*

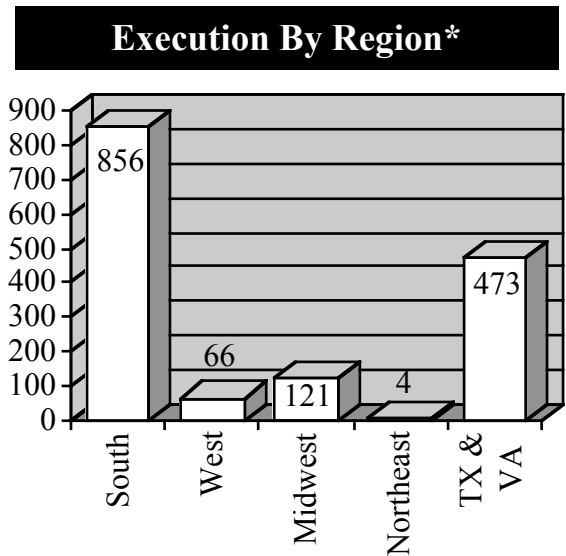
California	657	S. Carolina	71	Illinois	10
Texas	401	Mississippi	66	Washington	9
Florida	396	Missouri	51	Utah	9
Pennsylvania	228	U.S. Gov't	43	U.S. Military	9
Ohio	195	Kentucky	38	Maryland	8
N. Carolina	188	Arkansas	37	Connecticut	8
Alabama	193	Oregon	33	Kansas	8
Arizona	125	Indiana	24	Montana	4
Tennessee	107	Virginia	21	S. Dakota	4
Georgia	107	Idaho	20	Colorado	2
Oklahoma	91	Delaware	17	New Mexico	2
Louisiana	87	New Jersey	12	Wyoming	2
Nevada	79	Nebraska	10	New York	1

Source: NAACP LDF Death Row, U.S.A. (July 1, 2006) (includes cases with temporary reversals)

*When added, state totals are slightly higher because some inmates are sentenced in more than one state.

NUMBER OF EXECUTIONS BY STATE SINCE 1976

	Total	2005	2006		Total	2005	2006
Texas	376	19	21	Nevada	12	0	1
Virginia	97	0	3	Mississippi	7	1	0
Oklahoma	83	4	4	Utah	6	0	0
Missouri	66	5	0	Maryland	5	1	0
Florida	61	1	1	Washington	4	0	0
N. Carolina	43	5	4	Nebraska	3	0	0
Georgia	39	3	0	Pennsylvania	3	0	0
S. Carolina	36	3	1	Kentucky	2	0	0
Alabama	34	4	0	Montana	3	0	1
Louisiana	27	0	0	Oregon	2	0	0
Arkansas	27	1	0	Tennessee	2	0	1
Arizona	22	0	0	Connecticut	1	1	0
Ohio	23	4	4	Idaho	1	0	0
Indiana	17	5	1	New Mexico	1	0	0
Delaware	14	1	0	Colorado	1	0	0
California	13	2	1	Wyoming	1	0	0
Illinois	12	0	0	US Gov't	3	0	0



*Federal executions are listed in the region in which the crime was committed.

DEATH SENTENCING

The number of death sentences per year has dropped dramatically since 1999.

Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Sentences	267	288	287	314	317	317	277	300	276	232	163	168	152	125

Source: Bureau of Justice Statistics: "Capital Punishment 2004"

JUVENILES AND THE DEATH PENALTY

• In 2005, the Supreme Court in *Roper v. Simmons* struck down the death penalty for juveniles. 22 defendants had been executed for crimes committed as juveniles since 1976.

MENTAL RETARDATION AND THE DEATH PENALTY

• In 2002, the Supreme Court held in *Atkins v. Virginia* that it is unconstitutional to execute defendants with mental retardation.

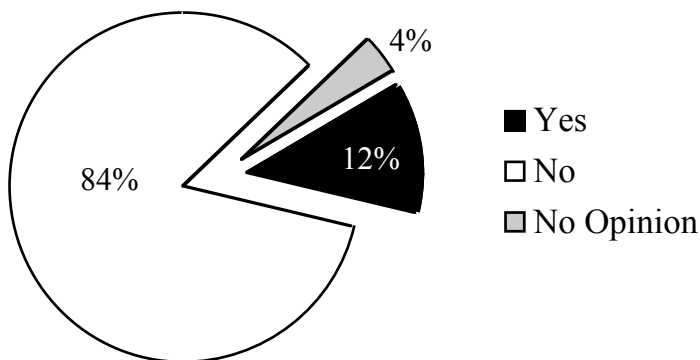
WOMEN AND THE DEATH PENALTY

• There were 57 women on death row as of July 1, 2006. This constitutes 1.69% of the total death row population. 11 women have been executed since 1976. NAACP LDF "Death Row, U.S.A." (July 1, 2006)

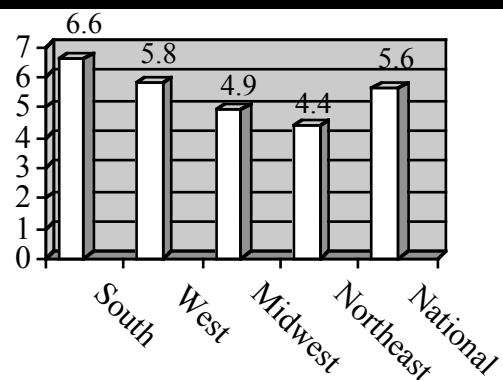
DETERRENCE AND THE DEATH PENALTY

- According to a survey of the former and present presidents of the country's top academic criminological societies, **84% of these experts rejected the notion that the death penalty acts as a deterrent to murder.** (Radelet & Akers, 1996)
- Consistent with previous years, the 2004 FBI Uniform Crime Report showed that **the South had the highest murder rate. The South accounts for over 80% of executions.** The Northeast, which has less than 1% of all executions, again had the lowest murder rate.

Criminologists View of Deterrence



Murder Rates per 100,000 - 2005



EXECUTIONS SINCE 1976 BY METHOD USED

878	Lethal Injection	37 of 38 states plus the US government use lethal injection as their primary method.
153	Electrocution	Nebraska is the only state to solely use electrocution. Some states utilizing lethal injection have other methods available as backups.
11	Gas Chamber	
3	Hanging	
2	Firing Squad	

FINANCIAL FACTS ABOUT THE DEATH PENALTY

- The California death penalty system costs taxpayers \$114 million per year beyond the costs of keeping convicts locked up for life. Taxpayers have paid more than \$250 million for each of the state’s executions. (L.A. Times, March 6, 2005)
- In Kansas, the costs of capital cases are 70% more expensive than comparable non-capital cases, including the costs of incarceration. (Kansas Performance Audit Report, December 2003).
- In Indiana, the total costs of the death penalty exceed the complete costs of life without parole sentences by about 38%, assuming that 20% of death sentences are overturned and reduced to life. (Indiana Criminal Law Study Commission, January 10, 2002).
- The most comprehensive study in the country found that the death penalty costs North Carolina \$2.16 million per execution *over* the costs of sentencing murderers to life imprisonment. The majority of those costs occur at the trial level. (Duke University, May 1993).
- Enforcing the death penalty costs Florida \$51 million a year above what it would cost to punish all first-degree murderers with life in prison without parole. Based on the 44 executions Florida had carried out since 1976, that amounts to a cost of \$24 million for each execution. (Palm Beach Post, January 4, 2000).
- In Texas, a death penalty case costs an average of \$2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years. (Dallas Morning News, March 8, 1992).

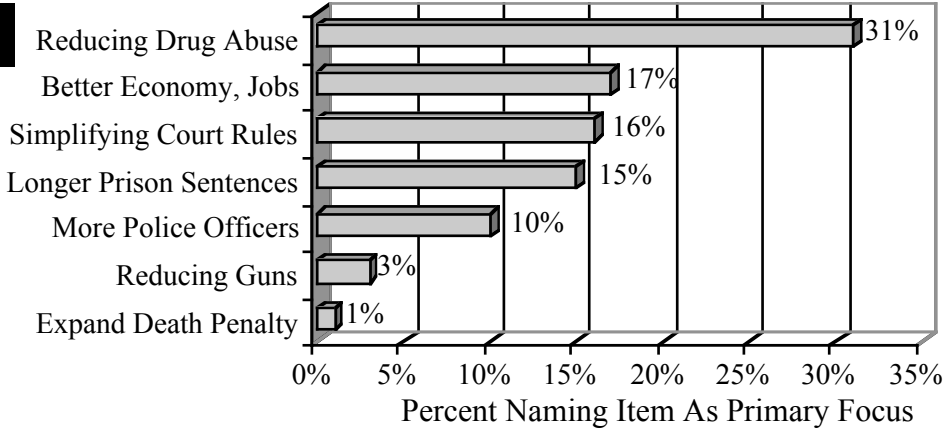
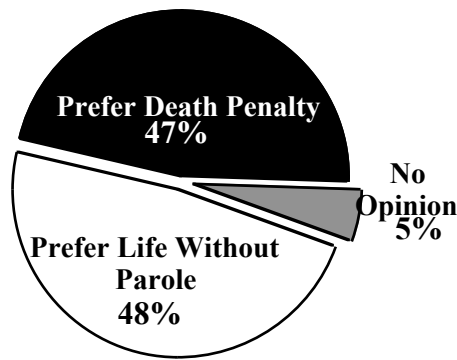
PUBLIC OPINION AND THE DEATH PENALTY

- The May 2006 Gallup Poll found that overall support of the death penalty was 65% (down from 80% in 1994). The same poll revealed that when respondents are given the choice of life without parole as an alternate sentencing option, more choose life without parole (48%) than the death penalty (47%).

- A 1995 Hart Research Poll of police chiefs in the US found that the majority of the chiefs do not believe that the death penalty is an effective law enforcement tool.

Police Chiefs Place Death Penalty Last in Reducing Violent Crime

Support for Life Without Parole



The **Death Penalty Information Center** has available more extensive reports on a variety of issues, including:

- "Year End Report: Death Sentences Reach Record Lows As Country Turns to Life Without Parole" (2005)
- "Blind Justice: Juries Deciding Life and Death with Only Half the Truth" (2005)
- "Innocence and the Crisis in the American Death Penalty" (2004)
- "International Perspectives on the Death Penalty: A Costly Isolation for the U.S." (1999)
- "The Death Penalty in Black & White: Who Lives, Who Dies, Who Decides" (1998)
- "Innocence and the Death Penalty: The Increasing Danger of Executing the Innocent" (1997)
- "Killing for Votes: The Dangers of Politicizing the Death Penalty Process" (1996)
- "Twenty Years of Capital Punishment: A Re-evaluation" (1996)
- "With Justice for Few: The Growing Crisis in Death Penalty Representation" (1995)
- "On the Front Line: Law Enforcement Views on the Death Penalty" (1995)
- "The Future of the Death Penalty in the United States: A Texas-Sized Crisis" (1994)
- "Millions Misspent: What Politicians Don't Say About the High Costs of the Death Penalty" (updated 1994)